

SENATE BILL No. 373

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-24; IC 9-29-9.

Synopsis: Driver's licenses for veterans. Provides that an individual may request an indication of the individual's status as a surviving spouse of a veteran on the individual's driver's license or state identification card. (Current law provides only for an indication of veteran status.) Provides that driver's licenses and permits and state identifications for certain veterans and surviving spouses of veterans may be issued without charge.

Effective: July 1, 2016.

Waltz

January 11, 2016, read first time and referred to Committee on Homeland Security & Transportation.



Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 373

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-24-9-2, AS AMENDED BY P.L.149-2015,
2 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 2. (a) Except as provided in subsection (b), each
4 application for a license or permit under this chapter must require the
5 following information:
6 (1) The full legal name of the applicant.
7 (2) The applicant's date of birth.
8 (3) The gender of the applicant.
9 (4) The applicant's height, weight, hair color, and eye color.
10 (5) The principal address and mailing address of the applicant.
11 (6) A:
12 (A) valid Social Security number; or
13 (B) verification of an applicant's:
14 (i) ineligibility to be issued a Social Security number; and
15 (ii) identity and lawful status.
16 (7) Whether the applicant has been subject to fainting spells or
17 seizures.



(8) Whether the applicant has been licensed as an operator, a chauffeur, or a public passenger chauffeur or has been the holder of a learner's permit, and if so, when and by what state.

(9) Whether the applicant's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.

(10) Whether the applicant has been convicted of:

(A) a crime punishable as a felony under Indiana motor vehicle law; or

(B) any other felony in the commission of which a motor vehicle was used;

that has not been expunged by a court.

(11) Whether the applicant has a physical or mental disability, and if so, the nature of the disability and other information the bureau directs.

(12) The signature of the applicant showing the applicant's legal name as it appears or will appear on the license or permit.

(13) A digital photograph of the applicant.

The bureau shall maintain records of the information provided under subdivisions (1) through (13).

(b) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address.

(c) In addition to the information required by subsection (a), an applicant who is required to complete at least fifty (50) hours of supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or IC 9-24-3-2.5(a)(2)(D) must submit to the bureau evidence of the time logged in practice driving. The bureau shall maintain a record of the time log provided.

(d) In addition to the information required under subsection (a), an application for a license or permit to be issued under this chapter must enable the applicant to indicate that the applicant is a member of the armed forces of the United States and wishes to have an indication of the applicant's veteran or active military or naval service status appear on the license or permit. An applicant who wishes to have an indication of the applicant's veteran or active military or naval service status appear on a license or permit must:

(1) indicate on the application that the applicant:

(A) is a member of the armed forces of the United States; and



(B) wishes to have an indication of the applicant's veteran or active military or naval service status appear on the license or permit; and

(2) verify the applicant's:

(A) veteran status by providing proof of discharge or separation, other than a dishonorable discharge, from the armed forces of the United States ; or

(B) active military or naval service status by means of a current armed forces identification card.

The bureau shall maintain records of the information provided under this subsection.

(e) The bureau may adopt rules under IC 4-22-2 to:

(1) verify an applicant's identity, lawful status, and residence; and

(2) invalidate on a temporary basis a license or permit that has been issued based on fraudulent documentation.

(f) In addition to the information required under subsection (a), an application for a license or permit to be issued under this chapter must enable the applicant to indicate that the applicant is a surviving spouse of a veteran of the armed forces of the United States and wishes to have an indication of the applicant's surviving spouse of a veteran status appear on the license or permit. An applicant who wishes to have an indication of the applicant's surviving spouse of a veteran status appear on a license or permit must:

(1) indicate on the application that the applicant:

(A) is a surviving spouse of a veteran of the armed forces of the United States; and

(B) wishes to have an indication of the applicant's surviving spouse of a veteran status appear on the license or permit; and

(2) provide the documentation necessary to verify that the applicant was married to, at the individual's time of death, an individual who:

(A) had served in:

(i) the United States armed forces or their reserves;

(ii) the Indiana Army National Guard; or

(iii) the Indiana Air National Guard; and

(B) received an honorable discharge from service.

The bureau shall maintain records of the information provided under this subsection.

SECTION 2. IC 9-24-11-1, AS AMENDED BY P.L.125-2012, SECTION 207, IS AMENDED TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2016]: Sec. 1. **(a) Subject to subsection (b),**
the bureau shall issue a permit or license to every applicant who meets
the following conditions:

- (1) Qualifies as required.
- (2) Makes the proper application.
- (3) Pays the required fee.
- (4) Passes the required examinations.

**(b) Notwithstanding any other law, the bureau shall issue a
permit or license, without payment of a fee, to an applicant who:**

(1) wishes to have:

**(A) an indication of the applicant's veteran or active
military or naval service status appear on a license or
permit; or**

**(B) an indication that the applicant is a surviving spouse of
a veteran status appear on a license or permit; and**

**(2) meets all the requirements of this chapter to receive a
permit or license.**

SECTION 3. IC 9-24-11-5.5, AS AMENDED BY P.L.77-2015,
SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2016]: Sec. 5.5. **(a)** If a permittee or licensee has under
IC 9-24-9-2(d):

(1) indicated on the application that the permittee or licensee is a
member of the armed forces of the United States and wishes to
have an indication of the permittee's or licensee's veteran or active
military or naval service status appear on the license or permit;
and

(2) provided proof of:

(A) discharge or separation, other than a dishonorable
discharge, from the armed forces of the United States; or

(B) active military or naval service status;

an indication of the permittee's or licensee's veteran or active military
or naval service status shall be shown on the license or permit.

(b) If a permittee or licensee has under IC 9-24-9-2(f):

(1) indicated on the application that the permittee or licensee:

**(A) is a surviving spouse of a veteran of the armed forces
of the United States; and**

**(B) wishes to have an indication of the permittee's or
licensee's surviving spouse of a veteran status appear on
the license or permit; and**

**(2) provided documentation necessary to verify that the
applicant was married to, at the individual's time of death, an
individual who:**



(A) had served in:

(i) the United States armed forces or their reserves;

(ii) the Indiana Army National Guard; or

(iii) the Indiana Air National Guard; and

(B) received an honorable discharge from service;

an indication of the permittee's or licensee's surviving spouse of a veteran status must be shown on the license or permit.

SECTION 4. IC 9-24-16-2, AS AMENDED BY P.L.77-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) An application for an identification card issued under this chapter must require the following information concerning an applicant:

(1) The full legal name of the applicant.

(2) The applicant's date of birth.

(3) The gender of the applicant.

(4) The applicant's height, weight, hair color, and eye color.

(5) The principal address and mailing address of the applicant.

(6) A:

(A) valid Social Security number; or

(B) verification of an applicant's:

(i) ineligibility to be issued a Social Security number; and

(ii) identity and lawful status.

(7) A digital photograph of the applicant.

(8) The signature of the applicant showing the applicant's legal name as it will appear on the identification card.

(9) If the applicant is also applying for a Class B motor driven cycle endorsement, verification that the applicant has satisfactorily completed the test required under section 3.6 of this chapter.

The bureau shall maintain records of the information provided under subdivisions (1) through (9).

(b) The bureau may invalidate an identification card that the bureau believes to have been issued as a result of fraudulent documentation.

(c) The bureau:

(1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity and lawful status; and

(2) may adopt rules to establish a procedure to temporarily invalidate an identification card that it believes to have been issued based on fraudulent documentation.

(d) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address



and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address.

(e) In addition to the information required under subsection (a), an application for an identification card to be issued under this chapter must enable the applicant to indicate that the applicant is a member of the armed forces of the United States and wishes to have an indication of the applicant's veteran or active military or naval service status appear on the identification card. An applicant who wishes to have an indication of the applicant's veteran or active military or naval service status appear on the identification card must:

(1) indicate on the application that the applicant:

(A) is a member of the armed forces of the United States; and

(B) wishes to have an indication of the applicant's veteran or active military or naval service status appear on the identification card; and

(2) verify the applicant's:

(A) veteran status by providing proof of discharge or separation, other than a dishonorable discharge, from the armed forces of the United States; or

(B) active military or naval service status by means of a current armed forces identification card.

The bureau shall maintain records of the information provided under this subsection.

(f) In addition to the information required under subsection (a), an application for an identification card to be issued under this chapter must enable the applicant to indicate that the applicant is a surviving spouse of a veteran of the armed forces of the United States and wishes to have an indication of the applicant's surviving spouse of a veteran status appear on the identification card. An applicant who wishes to have an indication of the applicant's surviving spouse of a veteran status appear on the identification card must:

(1) indicate on the application that the applicant:

(A) is a surviving spouse of a veteran of the armed forces of the United States; and

(B) wishes to have an indication of the applicant's surviving spouse of a veteran status appear on the identification card; and

(2) provide the documentation necessary to verify that the applicant was married to, at the individual's time of death, an individual who:



(A) had served in:

(i) the United States armed forces or their reserves;

(ii) the Indiana Army National Guard; or

(iii) the Indiana Air National Guard; and

(B) received an honorable discharge from service.

The bureau shall maintain records of the information provided under this subsection.

SECTION 5. IC 9-24-16-3, AS AMENDED BY P.L.77-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) An identification card must have the same dimensions and shape as a driver's license, but the card must have markings sufficient to distinguish the card from a driver's license.

(b) Except as provided in subsection ~~(g)~~; **(h)**, the front side of an identification card must contain the expiration date of the identification card and the following information about the individual to whom the card is being issued:

(1) Full legal name.

(2) The address of the principal residence.

(3) Date of birth.

(4) Date of issue and date of expiration.

(5) Unique identification number.

(6) Gender.

(7) Weight.

(8) Height.

(9) Color of eyes and hair.

(10) Reproduction of the signature of the individual identified.

(11) Whether the individual is blind (as defined in IC 12-7-2-21(1)).

(12) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become:

(A) eighteen (18) years of age; and

(B) twenty-one (21) years of age.

(13) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.

(14) Digital photograph of the individual.

(c) The information contained on the identification card as required by subsection (b)(12) or (b)(13) for an individual who is less than twenty-one (21) years of age at the time of issuance shall be printed prominently on the identification card.

(d) If the individual:

(1) indicated on the application that the individual is a member of



the armed forces of the United States and wishes to have an indication of the individual's veteran or active military or naval service status appear on the identification card; and

(2) provided proof of:

(A) any discharge or separation, other than a dishonorable discharge, from the armed forces of the United States; or

(B) active military or naval service status;

an indication of the individual's veteran or active military or naval service status shall be shown on the identification card.

(e) If the individual indicates on the application that the individual is a surviving spouse of a veteran of the armed forces of the United States and wishes to have an indication of the applicant's surviving spouse of a veteran status appear on the identification card, an indication of the individual's surviving spouse of a veteran status must be shown on the identification card.

~~(e)~~ **(f)** If the applicant for an identification card submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the identification card to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card that briefly describes the medical condition of the holder of the card. The information must be printed in a manner that alerts a person reading the card to the existence of the medical condition. The applicant for an identification card is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.

~~(f)~~ **(g)** An identification card issued by the state to an individual who:

(1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;

(2) has a pending application for asylum in the United States;

(3) has a pending or approved application for temporary protected status in the United States;

(4) has approved deferred action status; or

(5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary identification card. A temporary identification card issued under this subsection may not be renewed without the presentation of valid documentary evidence



1 proving that the holder of the identification card's temporary status has
2 been extended.

3 ~~(g)~~ **(h)** For purposes of subsection (b), an individual certified as a
4 program participant in the address confidentiality program under
5 IC 5-26.5 is not required to provide the address of the individual's
6 principal residence, but may provide an address designated by the
7 office of the attorney general under IC 5-26.5 as the address of the
8 individual's principal residence.

9 ~~(h)~~ **(i)** The bureau shall validate an identification card for Class B
10 motor driven cycle operation upon a highway by endorsement to an
11 individual who:

- 12 (1) applies for or has previously been issued an identification card
- 13 under this chapter;
- 14 (2) makes the appropriate application for endorsement; and
- 15 (3) satisfactorily completes the test required under section 3.6 of
- 16 this chapter.

17 The bureau shall place a designation on the face of the identification
18 card to indicate that the individual has received a Class B motor driven
19 cycle endorsement.

20 SECTION 6. IC 9-24-16-10, AS AMENDED BY P.L.149-2015,
21 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2016]: Sec. 10. (a) The bureau may:

- 23 (1) adopt rules under IC 4-22-2, including rules to:
- 24 (A) verify an applicant's identity, lawful status, and residence;
- 25 and
- 26 (B) invalidate on a temporary basis a license or permit that
- 27 was issued based on fraudulent documentation; and
- 28 (2) prescribe all forms necessary;

29 to implement this chapter.

30 (b) The bureau may not impose a fee for the issuance of:

- 31 (1) an original;
- 32 (2) a renewal of an;
- 33 (3) a replacement; or
- 34 (4) an amended;

35 identification card to an individual described in subsection (c). For
36 purposes of this subsection, the amendment of an identification card
37 includes the addition of a Class B motor driven cycle endorsement to
38 the identification card.

39 (c) An identification card must be issued without the payment of a
40 fee or charge to an individual who **meets both of the following**
41 **requirements:**

- 42 (1) **The individual:**



(A) does not have a valid Indiana driver's license and ~~(2)~~ will be at least eighteen (18) years of age and eligible to vote in the next general, municipal, or special election; or

(B) wishes to have:

(i) an indication of the applicant's veteran or active military or naval service status appear on the identification card; or

(ii) an indication that the applicant is a surviving spouse of a veteran status appear on the identification card.

(2) The individual meets all of the conditions under this chapter to receive an identification card.

SECTION 7. IC 9-29-9-2.1, AS ADDED BY P.L.216-2014, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2.1. (a) The fee for an operator's license issued under IC 9-24-3 or renewed under IC 9-24-12 to an individual who is less than seventy-five (75) years of age is seventeen dollars and fifty cents (\$17.50). The fee shall be distributed as follows:

(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(2) Two dollars (\$2) to the crossroads 2000 fund.

(3) Four dollars and fifty cents (\$4.50) to the motor vehicle highway account.

(4) For an operator's license issued or renewed before July 1, 2019, as follows:

(A) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(B) Nine dollars and twenty-five cents (\$9.25) to the commission fund.

(5) For an operator's license issued or renewed after June 30, 2019, ten dollars and fifty cents (\$10.50) to the commission fund.

(b) The fee for an operator's license issued under IC 9-24-3 or renewed under IC 9-24-12 to an individual who is at least seventy-five (75) years of age and less than eighty-five (85) years of age is eleven dollars (\$11). The fee shall be distributed as follows:

(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(2) One dollar and fifty cents (\$1.50) to the crossroads 2000 fund.

(3) Three dollars (\$3) to the motor vehicle highway account.

(4) For an operator's license issued or renewed before July 1, 2019, as follows:

(A) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(B) Four dollars and seventy-five cents (\$4.75) to the commission fund.



(5) For an operator's license issued or renewed after June 30, 2019, six dollars (\$6) to the commission fund.

(c) The fee for an operator's license issued under IC 9-24-3 or renewed under IC 9-24-12 to an individual who is at least eighty-five (85) years of age is seven dollars (\$7). The fee shall be distributed as follows:

(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(2) One dollar (\$1) to the crossroads 2000 fund.

(3) Two dollars (\$2) to the motor vehicle highway account.

(4) For an operator's license issued or renewed before July 1, 2019, as follows:

(A) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(B) Two dollars and twenty-five cents (\$2.25) to the commission fund.

(5) For an operator's license issued or renewed after June 30, 2019, three dollars and fifty cents (\$3.50) to the commission fund.

(d) There is no fee for an operator's license issued under IC 9-24-11 or renewed under IC 9-24-12 to an individual who:

(1) wishes to have:

(A) an indication of the applicant's veteran or active military or naval service status appear on a license or permit; or

(B) an indication that the applicant is a surviving spouse of a veteran status appear on a license or permit; and

(2) meets all the requirements of IC 9-24 to receive a permit or license.

SECTION 8. IC 9-29-9-15, AS AMENDED BY P.L.197-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 15. (a) Except as provided in subsection ~~(b) or (c)~~, **(b), (c), or (d)**, the fee for the issuance, renewal, amendment, or replacement of an identification card under IC 9-24-16 or a photo exempt identification card under IC 9-24-16.5 is eleven dollars and fifty cents (\$11.50). The fee shall be distributed as follows:

(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(2) One dollar and twenty-five cents (\$1.25) deposited as follows:

(A) For an identification card or photo exempt identification card issued, renewed, amended, or replaced before July 1, 2019, into the integrated public safety communications fund.

(B) For an identification card or photo exempt identification card issued, renewed, amended, or replaced after June 30, 2019, into the commission fund.



(3) Two dollars and seventy-five cents (\$2.75) to the motor vehicle highway account.

(4) Seven dollars (\$7) to the commission fund.

(b) The fee for the issuance, renewal, amendment, or replacement of an identification card under IC 9-24-16 or a photo exempt identification card under IC 9-24-16.5 issued to an individual who is at least sixty-five (65) years of age or to an individual with a physical disability who is not entitled to obtain a driver's license is nine dollars (\$9). The fee shall be distributed as follows:

(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(2) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.

(3) For an identification card or photo exempt identification card issued, renewed, amended, or replaced before July 1, 2019, as follows:

(A) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(B) Five dollars and seventy-five cents (\$5.75) to the commission fund.

(4) For an identification card or photo exempt identification card issued, renewed, amended, or replaced after June 30, 2019, seven dollars (\$7) to the commission fund.

(c) There is no fee for an identification card issued under IC 9-24-16-10 for purposes of voting in an election.

(d) There is no fee for an identification card issued, renewed, amended or replaced for an individual who:

(1) wishes to have:

(A) an indication of the applicant's veteran or active military or naval service status appear on the identification card; or

(B) an indication that the applicant is a surviving spouse of a veteran status appear on the identification card; and

(2) meets all the conditions under IC 9-24-16 to receive an identification card.

